



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

Date: October 3, 2003

To: Superintendent/Charter Administrators
Business Managers

From: Nancy Konitzer
Deputy Associate Superintendent
Title I and NCLB Consolidated Activities

RE: NCLB 04-03a - Constitutionally Protected Prayer Policy Certification

Section 9524 (see citation below) of the *No Child Left Behind Act of 2001* (NCLB) requires that in order for any local education agency (LEA) to receive NCLB funds, it must annually certify to the Arizona Department of Education (ADE) in writing that its policies do not prevent participation in constitutionally protected prayer at its schools. The deadline to submit this certification for the 2003-2004 school year was October 1, 2003. It has come to my attention that a large number of LEAs have not completed this requirement.

In an attempt to reduce the burden of paper reporting, this information is being collected via a separate report through the Common Logon under Academic Achievement Reports.

If you believe that the prayer certification has already been submitted for your LEA, you can verify that by selecting the **FY2004 Constitutionally Protected Prayer Policy Certification** in the Academic Achievement Reports menu. The screen should show an option to "View Submitted Report". If the "Begin Report" option appears, the certification for your LEA has **not** been submitted.

Since the NCLB statute clearly states that this policy must be submitted as a condition of receiving NCLB funds, failure to submit your LEA's certification will jeopardize receipt of **any funds authorized under NCLB**, not just those included in the NCLB Consolidated Application.

Please ensure that your LEA has complied with this requirement by **October 8, 2003**, in order to avoid any interruption in your NCLB funding. If you have technical difficulties in accessing the ADE web site, call or e-mail the Support Center at the numbers listed on the Common Logon entry page. If you have questions about this NCLB requirement, call me at 602-542-7470 or e-mail me at nkonitz@ade.az.gov.

No Child Left Behind Act - SECTION 9524 - SCHOOL PRAYER

(b)CERTIFICATION- As a condition of receiving funds under this Act, a local educational agency shall certify in writing to the State educational agency involved that no policy of the local educational agency prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the guidance required under subsection (a). The certification shall be provided by October 1 of each year. The State educational agency shall report to the Secretary by November 1 of each year a list of those local educational agencies that have not filed the certification or against which complaints have been made to the State educational agency that the local educational agencies are not in compliance with this section.